

REMARKS

This paper is following the Decision on Appeal entered December 18, 2010, and accompanies a Petition to Withdraw the Holding of Abandonment Under 37 C.F.R. § 1.181. Claims 12, 22, and 24 have been canceled without prejudice or disclaimer. Claims 1, 17 and 21 have been amended. Upon entry of this paper, claims 1-4, 7-8, 10, 13-15, 17-21, 23 and 25 are pending in this application.

The Decision on Appeal of the Board of Patent Appeals and Interferences was entered on December 18, 2010. The appeal in this matter reviewed the following rejections of the Final Office Action dated April 19, 2007. Claims 1-4, 7, 12-15 and 17-22, 24 and 25 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Publication No. 2005/0114796 to Blast (“Blast”) in view of by U.S. Patent No. 6,288,702 to Tachibana *et al.* (“Tachibana”). Claims 8-10 were rejected under 35 U.S.C. § 103 as being unpatentable over as being unpatentable over Blast in view of Tachibana in view U.S. Patent No. 7,064,858. Claim 23 was rejected under 35 U.S.C. § 103 as being unpatentable over as being unpatentable over Blast in view of Tachibana and in further view of U.S. Patent No. 7,139,983 to Kelt (“Kelt”).

In the Decision on Appeal, the rejections as to dependent claims 12, 24 and 25 were reversed. (Decision on Appeal, page 10.) Claim 12 has been incorporated into amended claim 1. Features similar to claim 12 have also been incorporated into amended claim 17. Claim 25 has been incorporated into amended claim 21, including any intervening dependent claims. Accordingly, amended independent claims 1, 17 and 21 distinguish over the cited documents and are in condition for allowance.

Claims 2-4, 7-8, 10, 13-15, 18-20, 23 and 25 depend from one of claims 1, 17 or 21, and are distinguishable over the cited documents for at least the same reasons as their respective base claim, and further in view of the novel and non-obvious features recited therein.

CONCLUSION

Applicant respectfully submits that the instant application is in condition for allowance. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

Respectfully submitted,

Date: April 30, 2010

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